

# Memorandum

To: CHAIR AND COMMISSIONERS  
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: January 25, 2012

Reference No.: 2.8b.(5)  
Action Item

From: NORMA ORTEGA  
Chief Financial Officer

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Mass Transportation

Subject: **POST FACT REQUEST TO EXTEND THE PERIOD OF PROJECT CONTRACT  
AWARD FOR LOCALLY- ADMINISTERED STIP TRANSIT PROJECTS, PER  
RESOLUTION-G-06-08  
WAIVER-12-05**

## **RECOMMENDATION:**

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) extend the period of contract award for the Union City Intermodal Station Phase II project (PPNO 2110A) in Alameda County for six months, to June 30, 2012.

## **ISSUE:**

On June 23, 2011, the Commission approved Resolution MFP-10-23 allocating \$715,000 to the City of Union City (City) for the Intermodal Station Phase II project. The third party contract has not been awarded due to a delay in securing approximately \$3 million in federal funding for the project. As a result, the Bay Area Rapid Transit District (BART), who is the contract manager under an agreed upon Cooperative Agreement, was unable to proceed with the bid advertising as initially scheduled. BART policy prohibits advertising of bids until all funding has been secured and all agreements have been executed. However, the City has reported that in November 2011, federal funding was finally granted by the Federal Transit Administration and that bid advertising is scheduled to begin in early 2012 with contract award set for mid April 2012.

Therefore, the City is requesting a time extension of six months to June 30, 2012 to award a third party contract.

## **BACKGROUND:**

In June 2006, the Commission adopted Resolution G-06-08, which requires the agency implementing a project to request a time extension if the project will not be awarded within six months of the allocation. STIP Guidelines stipulate that the Commission may approve a waiver to the contract award deadline one time only for up to 20 months in accordance with Section 14529.8 of the Government Code.